

AMENDED IN ASSEMBLY AUGUST 28, 2001

AMENDED IN ASSEMBLY JULY 20, 2001

AMENDED IN ASSEMBLY JULY 10, 2001

AMENDED IN SENATE JUNE 4, 2001

AMENDED IN SENATE MAY 22, 2001

AMENDED IN SENATE MAY 3, 2001

AMENDED IN SENATE APRIL 26, 2001

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**SENATE BILL****No. 667****Introduced by Senator Peace**

*(Coauthors: Assembly Members Aroner, Bates, Migden, and Zettel)*

February 23, 2001

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An act to amend Section 21455.5 of, and to add Section 21455.7 to, the Vehicle Code, relating to traffic devices.

LEGISLATIVE COUNSEL'S DIGEST

SB 667, as amended, Peace. Automated enforcement system.

(1) Existing law authorizes governmental agencies, in cooperation with law enforcement agencies, to operate an automated enforcement system. Under existing law, an automated enforcement system is a system that photographically records a driver's response to a rail or rail transit signal or crossing gate, or both, or to an official traffic control signal (stoplight) and is designed to obtain a clear photograph of the vehicle's license plate and the driver of the vehicle.

This bill would require, at each intersection at which there is an automated enforcement system in operation, the minimum yellow light

change intervals to be established in accordance with the Traffic Manual of the Department of Transportation. The establishment of this requirement on agencies of local government would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21455.5 of the Vehicle Code is amended  
2 to read:

3 21455.5. (a) The limit line, the intersection, or other places  
4 designated in Section 21455 where a driver is required to stop may  
5 be equipped with an automated enforcement system if the system  
6 meets both of the following requirements: (1) the system is  
7 identified by signs, clearly indicating the system's presence,  
8 visible to traffic approaching from all directions, or if signs are  
9 posted at all major entrances to the city, including, at a minimum,  
10 freeways, bridges, and state highway routes, and (2) the system is  
11 located at an intersection that meets the criteria specified in  
12 Section 21455.7.

13 Any city utilizing an automated traffic enforcement system at  
14 intersections shall, prior to issuing citations, commence a program  
15 to issue only warning notices for 30 days. The local jurisdiction  
16 shall also make a public announcement of the automated traffic  
17 enforcement system at least 30 days prior to the commencement  
18 of the enforcement program.



1 Only a governmental agency, in cooperation with a law  
2 enforcement agency, may operate an automated enforcement  
3 system.

4 (b) (1) Notwithstanding Section 6253 of the Government  
5 Code, or any other provision of law, photographic records made  
6 by an automated enforcement system shall be confidential, and  
7 shall be made available only to governmental agencies and law  
8 enforcement agencies for the purposes of this article.

9 (2) For purposes of this article only, any confidential  
10 information obtained from the Department of Motor Vehicles for  
11 the administration or enforcement of this article ~~must~~ *shall* be held  
12 confidential, and may not be used for any other purpose.

13 (c) Notwithstanding subdivision (b), the registered owner or  
14 any individual identified by the registered owner as the driver of  
15 the vehicle at the time of the alleged violation shall be permitted  
16 to review the photographic evidence of the alleged violation.

17 SEC. 2. Section 21455.7 is added to the Vehicle Code, to read:

18 21455.7. At each intersection at which there is an automated  
19 enforcement system in operation, the minimum yellow light  
20 change interval shall be established in accordance with the Traffic  
21 Manual of the Department of Transportation.

22 SEC. 3. Notwithstanding Section 17610 of the Government  
23 Code, if the Commission on State Mandates determines that this  
24 act contains costs mandated by the state, reimbursement to local  
25 agencies and school districts for those costs shall be made pursuant  
26 to Part 7 (commencing with Section 17500) of Division 4 of Title  
27 2 of the Government Code. If the statewide cost of the claim for  
28 reimbursement does not exceed one million dollars (\$1,000,000),  
29 reimbursement shall be made from the State Mandates Claims  
30 Fund.

